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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/799,073 02/11/97 DAVIS

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EXAMINER

VUL T

ART UNIT

PAPER NUMBER

2152
DATE MAILED:

08/28/01

21

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

91

Office Action Summary

Application No.
08/799,073

Applicant(s)

Davis

Examiner

Thong Vu

Art Unit

2152



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 26, 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-21, and 23-32 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-8 and 28 is/are allowed.
- 6) ☒ Claim(s) 1, 10-21, 23-27, and 29-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

1. This office action is in response to Appeal Brief filed 5/29/01. The previous Final Action is vacated. Claims 1-8,10-21 and 23-32 are pending. The rejections cited are as stated below.

2. Claims 2-8 and 28 are allowable

3. The applicant arguments filed 5/29/2001 have been fully considered but they are moot in view of the new ground(s) of rejection.

4. Claims 1,10-21,23-27,29-32 are rejected under 35 U.S.C. 103 as being unpatentable over Kalra et al [Kalra 5,953,506] in view of Beckerman et al [Beckerman 6,029,200].

5. As per claims 1,19 and 29 Kalra discloses a method of transmitting a data segment in a stream using a write module of the type which implements a selected one of a plurality of versions of a streaming protocol outputting a first stream of data according to a first version of the streaming protocol [col 2 lines 1-50, col 4 lines 1-45];

sequentially appending additional streams of data to the first stream of data according to each subsequent version of the streaming protocol up to and including the selected version, if the selected version of the streaming protocol is not the first version of the streaming protocol [abstract, col 4 lines 33-46, col 10 lines 1-17]

delimiting the data segment in the data stream begin and end tags [Fig 16A1, col 25 lines 39-47].

However Kalra did not detail the combination of streams of the 3D, audio and video as a plurality of versions of a streaming protocol. Beckerman taught a streaming multimedia rendering system including the reference file contains a plurality of difference resource specifiers wherein each resource specifier is a transport protocol [Beckerman abstract, col 3 lines 54-64, col 5 lines 18-65, col 6 lines 1-40, col 8 lines 25-30]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the streaming multimedia using different transport protocols as taught by Beckerman into the Kalra's system in order to utilize the combination of streams for encoding, storing, transmitting and decoding multimedia system. Doing so would improve the data delivery on multimedia network.

6. As per claim 10, Kalra-Beckerman disclose no additional tags are embedded in the data segment between the begin and tags as a design choice [Kalra Fig 16A1]

7. As per claim 11, Kalra-Beckerman disclose determining whether the data segment is stored in a current context for the data stream; if so, transmitting an alias tag in lieu of segment; and not, storing the data segment in the current context as inherent feature of reference file [Beckerman col 4 line 63-col 5 line 17]

8. As per claim 12, Kalra-Beckerman disclose the data is a non-random access data stream as a video stream [Kalra col 19 line 65]

9. As per claims 13,24 and 30 contain the similar limitation of claim 1 except the step testing, prior to receiving each additional stream of data, whether an end of the data segment has been detected, and if so, terminating reception of the data segment prior to receiving the addition stream of data according to the selected version such as attempting communications using the resource specifiers [Beckerman col 2 lines 60-65, col 5 lines 5-18,4065, col 6 lines 25-42,col 7 lines 10-37]. By this rationale claims 13,24 and 30 are rejected.

10. As per claims 14 and 25 Kalra-Beckerman disclose if the end of the data segment has not been detected upon receiving the additional stream of data according to the selected version, disregarding any remaining data in the segment as a design choice [Kalra col 16 lines 37-48].

11. As per claim 15 Kalra-Beckerman disclose storing the data segment current context, including any disregarded data therefrom

12. As per claims 16,20 and 26, Kalra-Beckerman disclose the data segment is an object [Kalra Fig 22]

13. As per claims 17 and 21, Kalra-Beckerman disclose the testing includes the step of initializing object data that is not received from the data stream to a default value [Beckerman col 6 lines 1-8]

14. As per claim 18, Kalra-Beckerman disclose the transmitting an object type or version type for the data segment; and receiving the object type, including the steps of allocating and initializing an object when receiving the data segment based upon the object type [Kalra Fig 22]

15. As per claim 23 Kalra-Beckerman disclose transmitting an alias tag in lieu of the data segment if the data segment is stored in a current context for the data stream as inherent feature of reference file [Beckerman col 4 line 63-col 5 line 17]

16. As per claims 31 and 32 Kalra-Beckerman taught the step of testing for a premature end tag and terminating the reception of the data segment when a premature end tag is received as inherent feature of end tag [Kalra Fig 16A1]

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Mark Rinehart*, can be reached at (703) 305-4815.

Any inquiry of a general nature or relating to the status of this application should be

directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to : (703) 308-9051, (for formal communications intended for entry)

Or: (703) 305-7201 (for informal or draft communications, please label "PROPOSAL" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Thong Vu

Aug 22, 2001



MARK H. RINEHART
SUPERVISORY PATENT EXAMINER
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